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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17
18 ROBERTO VERTHELYI, on behalf
of himself and all others similarly
19 situated,

20 Plaintiff,

21 v.

22 PENNYMAC MORTGAGE
INVESTMENT TRUST; PNMAC
23 CAPITAL MANAGEMENT, LLC,

24 Defendants.
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Case No. 2:24-cv-05028-MWF

**DECLARATION OF MATTHEW
DONALD UMHOFFER IN
SUPPORT OF DEFENDANTS'
REQUEST FOR JUDICIAL
NOTICE**

Hearing Date: Nov. 18, 2024
Time: 10:00 a.m.
Place: Courtroom 5A
Judge: Michael W. Fitzgerald

1 I, Matthew Donald Umhofer, hereby declare and state as follows:

2 1. I am a partner at Umhofer, Mitchell & King LLP, and I represent
3 Defendants PennyMac Mortgage Investment Trust and PNMAC Capital Management,
4 LLC in this matter. I understand that I am submitting this Declaration in connection
5 with Defendants' Request for Judicial Notice in support of their Motions to Dismiss the
6 Complaint in the above-captioned case. I have personal knowledge of the facts set forth
7 herein and, if called upon to do so, would and could testify competently thereto.

8 2. Exhibit A is a true and correct copy of the Articles Supplementary for
9 PennyMac Mortgage Investment Trust's 8.125% Series A Fixed-to-Floating Rate
10 Cumulative Redeemable Preferred Shares of Beneficial Interest, as filed with the State
11 of Maryland.

12 3. Exhibit B is a true and correct copy of the Articles Supplementary for
13 PennyMac Mortgage Investment Trust's 8.00% Series B Fixed-to-Floating Rate
14 Cumulative Redeemable Preferred Shares of Beneficial Interest, as filed with the State
15 of Maryland.

16 4. Exhibit C is a true and correct copy of PennyMac Mortgage Investment
17 Trust's Articles of Amendment and Restatement of its Declaration of Trust, dated July
18 24, 2009, as filed with the State of Maryland.

19 I declare under penalty of perjury that the foregoing is true and correct to the best
20 of my knowledge, information, and belief.

21 Executed this 20th day of August, 2024, at Los Angeles, CA.

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23 By: /s/Matthew Donald Umhofer
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